

01-20-04

1654

JAN 15 2004

PATENT &amp; TRADEMARKS

PTO/SB/21 (08-03)

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# TRANSMITTAL FORM

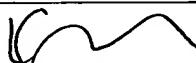
*(to be used for all correspondence after initial filing)*

		Application Number	09/942,458
		Filing Date	August 29, 2001
		First Named Inventor	Larry A. LAREW
		Art Unit	1654
		Examiner Name	R. Teller
Total Number of Pages in This Submission	6 + 10 References	Attorney Docket Number	342312003801

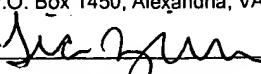
**ENCLOSURES (Check all that apply)**

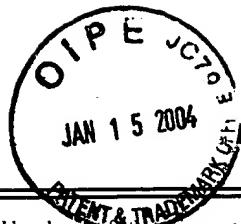
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ol style="list-style-type: none"> <li>1. Form PTO-1449 + copy - 2 pages</li> <li>2. 10 References</li> <li>3. Return Receipt Postcard</li> </ol>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Information Disclosure Statement (Supplemental) - 3 pages	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	MORRISON & FOERSTER LLP Kimberly A. Bolin - 44,546	Customer Number: 25226
Signature		
Date	January 15, 2004	

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 332778364 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 1/15/04 Signature:  (Tia B. Zimmerman)



PATENT  
Docket No. 342312003801

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Dated: 1/15/04

Signature: Tia B. Zimmerman (Tia B. Zimmerman)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Larry A. LAREW et al.

Serial No.: 09/942,458

Filing Date: August 29, 2001

For: ECHINOCANDIN/CARBOHYDRATE  
COMPLEXES

Examiner: R. Teller

Group Art Unit: 1654

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - A fee is required. A check in the amount of \_\_ is enclosed.
  - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_ is enclosed.
  - A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

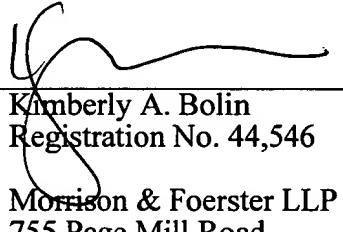
The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does

not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **342312003801**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 15 , 2004

Respectfully submitted,

By: 

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Registration No. 44,546

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JAN 15 2004

Form PTO-14 <i>Information Disclosure Citation in an Application</i> <i>(Use several sheets if necessary)</i>		Docket Number 342312003801	Application Number 09/942,458
		Applicant	Larry A. LAREW et al.
		Filing Date August 29, 2001	Group Art Unit 1654
		Mailing Date January 15 2004	

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	02/27/2003	2003/0039667	Jira et al.			
	2.	06/05/2003	2003/0104048	Patel et al.			
	3.	11/27/2003	2003/0220236	Burkhardt et al.			
	4.	12/09/1997	5,696,084	Lartey et al.			
	5.	10/26/1999	5,972,996	Nielsen-Kahn et al.			
	6.	07/08/2003	6,590,073	Dalder et al.			
	7.	11/25/2003	6,653,281	Borromeo et al.			
	8.	12/30/2003	6,670,324	Jamison et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	9.	Groll, A.H. et al. (2001). "Pharmacokinetic and Pharmacodynamic Modeling of Anidulafungin (LY303366): Reappraisal of Its Efficacy in Neutropenic Animal Models of Opportunistic Mycoses Using Optimal Plasma Sampling," <i>Antimicrobial Agents and Chemotherapy</i> 45(10):2845-2855.
	10.	International Search Report mailed on December 9, 2003, for PCT Patent Application No. PCT/US03/18754 filed on June 12, 2003, 5 pages.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.